

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamura, et al. (JP2000096626) in view of Hirai (JP08074292), further in view of Hibiya (JP2001040702).

Okamura discloses a construction machine having a vehicular body (not shown), a working mechanism (not shown) liftably provided on a front portion of the vehicular body, a seat supporting stool 5 provided on the vehicular body, an operator's seat 1 mounted on the seat supporting stool to be taken by operator, manual operating means 3 provided in the vicinity of the operator's seat and a pattern selector valve 35 provided between the manual operating means, characterized in that the seat supporting stool is adapted to accommodate the pattern selector valve in an inner space, with a switch member 41 for switching the operating pattern located at a front side of the seat supporting stool; a front side of the seat supporting stool is provided with an openable front cover adapted to cover the pattern selector valve; and a check-out window 6 is provided in the front cover to check out current position of the switch member of the pattern selector valve within the seat supporting stool. The seat supporting stool 5 is internally provided with a selector valve 35 accommodation room for lodging the pattern selector valve therein. The selector valve 35 accommodation room is partitioned in circumference with a box-like shape. The pattern selector valve 35 is accommodated at a position on the side of an entrance way at

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one side of the operator's seat, and the check-out window in the front cover is located on the side of the entrance way and in a corresponding position relative to the switch member of the pattern selector valve. A transparent member is fitted in the check-out window for covering purpose.

Okamura teaches the claimed invention except for control valves and hydraulic ducts. Hirai teaches a construction machine comprising control valves and hydraulic ducts. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the construction machine of Okamura to have control valves and hydraulic ducts to ensure the proper ability in the case of changing over an operation pattern.

Okamura in view of Hirai teaches the claimed invention except for a lock mechanism. Hibiya teaches a construction machine having a check-out window with a lock 44c. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination of Okamura and Hirai to have a lock to ensure the check-out window stays close upon operation of the machine.

Regard claim 8, it is old and well known in the art to have a pattern indicator.

Allowable Subject Matter

3. Claims 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye M. Fleming whose telephone number is (571) 272-6672. The examiner can normally be reached on M-F (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Faye M. Fleming/
Primary Examiner, Art Unit 3616